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**UNITED STATES DISTRICT COURT  
DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

RICK WOODS, Individually and On Behalf of  
All Others Similarly Situated,

Plaintiff,

v.

GOOGLE INC.,

Defendant.

Case No. 11-cv-1263-EJD

**PLAINTIFF'S ADMINISTRATIVE  
MOTION TO FILE UNDER SEAL  
DISCOVERY DISPUTE JOINT REPORT  
#1**

[Civil Local Rule 7-11 and 79-5]

1 **TO DEFENDANT AND ITS ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE** that under Local Rules 79-5, 7-11 and General Order 62,  
3 Plaintiff, Rick Woods, administratively moves to file under seal Discovery Dispute Joint Report #1  
4 (the “Joint Report”). The Joint Report contains quotations and citations to documents produced by  
5 Defendant, which Defendant has designated as “Highly Confidential – Attorneys’ Eyes Only”  
6 under the Stipulated Protective Order in this case. *See* Dkt. No. 103. Pursuant to Local Rule 79-  
7 5(d), Plaintiff files this Administrative Motion to Seal because he “wishes to refer in a  
8 memorandum or other filing to information [designated confidential] by another party.” By so  
9 moving, Plaintiff does not waive his right to challenge Defendant’s designations of the documents  
10 at a later date. Under Rule 79-5(d), “[w]ithin seven days,” “the designating party must file with the  
11 Court and serve a declaration establishing that the designated information is sealable, and must  
12 lodge and serve a narrowly tailored proposed sealing order, or must withdraw the designation of  
13 confidentiality.”

14 Pursuant to Local Rule 79-5(c) and General Order 62, Plaintiff will lodge with the Clerk and  
15 serve copies of the Joint Report in the appropriate sealed envelopes with the sealable portions  
16 identified by yellow highlighting within the text, including the copies for delivery to the Judge’s  
17 Chambers. As required, Plaintiff will also lodge with the Clerk and serve a redacted version of the  
18 Joint Report that can be filed in the public record if the Court grants the sealing order.

19 As required by Local Rule 7-11, Plaintiff sought a stipulation from Defendant to the filing  
20 of the Joint Report under seal, and such stipulation was not given as Defendant did not respond to  
21 Plaintiff’s request. *See* Exhibit A, attached hereto, which is a true and correct copy of Plaintiff’s  
22 Counsel’s request, to which he received no response within the time frame for filing this document.

23 Plaintiff respectfully requests he be permitted to file the Joint Report under seal or, if such  
24 request is denied, that he be permitted to file the Joint Report in the public record.

1 Dated: July 24, 2013

Respectfully submitted,

2 /s/ Andrew G. Pate

3 **NIX, PATTERSON & ROACH, LLP**

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1  
2 **CERTIFICATE OF SERVICE**

3 I hereby certify that on July 24, 2013, I electronically filed the foregoing with the Clerk of  
4 the Court using the CM/ECF system, which will send notification of such filing to the e-mail  
5 addresses denoted on the attached Electronic Mail Notice List.

6 I certify under penalty of perjury under the laws of the United States of America that the  
7 foregoing is true and correct. Executed on December 21, 2012.

8  
9 /s/ Andrew G. Pate  
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